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In re Application of
Ian F.C. McKenzie et al.
Serial No.: 09/163,089
Filed: September 29, 1998
Attorney Docket No.: 5036-1

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: PETITION DECISION
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This is in response to the petition under 37 CFR 1.181, filed December 3, 2004, for withdrawal of abandonment of the above identified application based on a timely response to the Office Action of April 26, 2004.

A review of the file history shows that the examiner mailed a Final Office action to applicants on April 26, 2004, setting a three month statutory period for reply. Upon failure to receive a reply the Office mailed a Notice of Abandonment to applicants on, November 3, 2004. Applicants state that there was a timely response filed on October 20, 2004 and have provided a copy of the response, a copy of a check for a three month extension of time in the amount of \$490.00, and an office date stamped postcard return receipt dated October 20, 2004 and stamped by OIPE on December 3, 2004. The check for \$490.00 was credited to applicants' account on October 27, 2004. In view of the evidence the Notice of Abandonment is withdrawn and the application is restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will be forwarded to the examiner for further action .

Should there be any questions about this decision please contact Jean F. Vollano, by letter addressed to Director, TC 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0648 or by facsimile sent to the general Office facsimile number.

for 
Jasemine Chambers
Director, Technology Center 1600